HON'BLE SRI G.S.SINGHVI, THE CHIEF JUSTICE

and

HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT APPEAL NO : 1535 of 2005

Between:

1 Shaik Khaja Hussain, S/o. Late Abdul Rasool,
Residing at Palkur Village, Banganapalli Mandal,

Kurnool District and others

..... APPELLANTS

AND

1 The Deputy Director, Mines and Geology,
Kurnool and others

.....RESPONDENTS

::JUDGMENT::

Counsel for the Appellants : MR. Syed Shareef Ahmed

Counsel for Respondents 1&2 : GP for Industries & Commerce

Counsel for Respondent No.3 & 4 : G.P. for Revenue

Counsel for Respondent No.5 & 6 : MR.S.M.Subhani, S.C for Wakf Board

Counsel for Respondent No.7 & 8 : Sri E.Ayyapu Reddy

Counsel for Respondent No.9 & 10 : Sri A.Chandraiah Naidu

7th December, 2005

Per G.S.Singhvi, CJ

This is an appeal for setting aside the order dated 3.8.2005 passed by the learned single Judge in W.P.No.4813 of 2005 whereby he rejected the appellants prayer for nullifying the lease granted by respondents 1 and 2 in favour of respondents 7 to 10 in respect of land bearing survey Nos.288/1. 288/3 and 293 admeasuring Ac.5.84 cents situated at Palkur village, Banaganapalli Mandal, Kurnool District.

After arguing the case for some time, the learned counsel for the appellants made a request that his clients may be permitted to withdraw this appeal as also the writ petition with liberty to the Wakf Board to take appropriate legal proceedings for annulment of sale deeds dated 28.5.1984 and 6.12.1985 and the lease granted in favour of the private respondents. In our opinion the request made by the learned counsel is reasonable and merits acceptance.

Hence, the appeal is dismissed as withdrawn with liberty to the Wakf Board to take appropriate legal proceedings for nullification of the sale deeds dated 28.5.1984 and 6.12.1985 as also the lease granted in favour of the private respondents.

G.S.SINGHVI, CJ

Dt.7.12.2005

R.SUBHASH REDDY,J

msv